

### REMARKS

This Application has been carefully reviewed in light of the Official Action mailed May 23, 2002 by the United States Patent and Trademark Office (The Office). At the time of this Official Action, Claims 1-9 were pending in this Application, of which Claims 1-3 and 7-9 were rejected and Claims 4-6 were objected to. In order to advance prosecution of this case, Claims 1, 3, 4, 6, 7 and 9 have been amended and Claim 2 has been deleted. It is believed that the amended claims do not involve any introduction of new matters, whereby entry is believed to be in order and is respectfully requested. The Applicants respectfully request reconsideration and favorable action in this case.

The following actions were taken or matters raised: (I) Claims 4 and 6 were objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claims; (II) Claim 5 was withdrawn due to depending directly from Claim 4; (III) Claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fors in view of Glomski; (IV) Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fors and Glominski as applied in Claim 1, and further in view of Hamilton et al.; (V) Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hulls in view of Glomski; and (VI) Claims 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hulls and Glominski as applied in Claim 7, and further in view of Fors.

**I. Claims 4 and 6 Objected To Under 37 CFR 1.75(c)**

Claims 4 and 6 have been rewritten in singular dependent form, thus overcoming the objections made by the Office.

**II. Claims 5 Withdrawn Due To Depending Directly From Claim 4**

The objection to claim 5 is overcome in view of amended claim 4.

**III. Claims 1 Rejected Under 35 U. S. C. § 103(a)**

The Office has rejected Claim 1 under 35 U.S.C. § 103(a) as being unpatentable over Fors in view of Glomski. Amended Claim 1, and hence all claims dependent thereon, include novel physical features that provide new and advantageous results, making such claims non-obvious over the cited reference and thus patentable over Fors in view of Glomski under 35 U.S.C. 103(a). Accordingly, Applicant respectfully request the Examiner to withdraw the rejection to Claim 1 and allow pending claims 1-6 in view of amendments made herein to Claim 1.

Accordingly, the rejections to the Claim 1-6 are traversed in view of Amended Claim 1, respectively. Applicant submits that Examiner's interpretation that Fors taken with Glomski gives the claimed invention (Claim 1) is incorrect. Glomski discloses four access doors none of which are, as is required by present Claim 1, generally adjacent the

access door at the front (as defined in the present application) of the container. In Glomski one pair of doors is at the rear of the container and the other is centrally positioned. The openings covered by the doors in Glomski also extend into the side walls (column 4, lines 65 to 69). As is shown in Figure 7 of Glomski, part of each opening in the roof remains vertically obstructed by the cover when the cover is moved to its open position. This is a distinction to the present invention where, as is specified in Claim 1, the aperture is unobstructed. Accordingly, the rejections to the Claim 1 and its dependent are traversed in view of amended Claim 1.

#### **IV. Claims 7 Rejected Under 35 U. S. C. § 103(a)**

The Office has rejected Claim 7 under 35 U.S.C. § 103(a) as being unpatentable over Hulls in view of Glomski. Amended Claim 7, and hence all claims dependent thereon, include novel physical features that provide new and advantageous results, making such claims non-obvious over the cited reference and thus patentable over Hulls in view of Glomski under 35 U.S.C. 103(a). Accordingly, Applicant respectfully request the Examiner to withdraw the rejection to Claim 7 and allow pending claims 7-9 in view of amendments made herein to Claim 7.

One of important aspect of the present system is that exactly the same design of trailer is used for removal of waste material as is used for delivery of the raw material to a

particular plant, particularly a print works. Claim 7 specifies that the premises must have a material delivery bay.

In contrast, Hulls describes a system where waste material is brought into a premises and waste material is taken away. There is no suggestion in Hulls that the system can be applied generally to manufacturing sites that convert a raw material into a product and produce waste material in so doing. Hulls is concerned solely with compacting waste material and transferring that waste material.

The principle concern of the Applicant has been to improve the efficiency of the system by which a raw material is delivered to a factory and waste material is removed. This is clear from the opening sentence of the description. The problem is discussed in greater detail in paragraphs 2 and 3 of the description in the subject application, with particular reference to the printing industry, although the invention has very broad application in other fields.

To reiterate, presently, newsprint is delivered from a paper mill to a printing works on one type of lorry. Once the newsprint has been off-loaded, the lorry returns to the paper mill empty. That is to say, it returns unproductively and thus unprofitably. Conversely, waste paper is collected and transferred to a landfill site or recycling center on the back of a different type of trailer or lorry. Once the waste paper has been offloaded, the lorry

returns to the printing works, again empty, unproductively and unprofitably resulting in a financial loss to the hauler or higher than necessary costs passed on to the printing works owner.

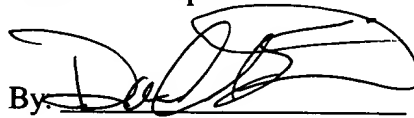
The present invention removes these unproductive journeys. There is nothing in Hulls to suggest the present invention or the advantages provided by such a method. Even if the skilled person were to combine the disclosures of Hulls and Glomski, such person would still not arrive at the present invention.

Examiner's suggestion that the movable wall of Fors would have been added to the carrier taught by Hulls and Glomski is incorrect. Hulls teaches exclusively compressing waste material into dense, self-supporting bales. Hulls refers to pushing bales tightly together with a bulldozer (column 6, lines 47 to 49). Accordingly, there can be no doubt that spilling of material in the container during loading is NOT a problem that would have concerned the skilled person in Hulls.

**CONCLUSION**

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims. If there are any matters that can be discussed by telephone to further the prosecution of this Application, Applicants invites the Examiner to contact the undersigned attorney at 512-345-9767 at the Examiner's convenience.

Respectfully Submitted,  
Derek E. Sumpter

By 

David O. Simmons  
Reg. No. 43,124

Simon, Galasso & Frantz PLC  
P.O. Box 26503  
Austin, Texas 78755-0503  
Telephone: (512) 372-8240  
Facsimile: (512) 372-8247

Docket No. 1495.SUMPTER-DB-01

## APPENDIX A

### Marked-Up Version of Amended Claims

1. (Amended) An articulated lorry trailer comprising an enclosed elongated material-carrying container carried upon a chassis having a plurality of road wheels, wherein the container has a floor, a rear wall and two side walls, a roof and a front having an access door therein, wherein the interior surfaces of the container are substantially flat; wherein the interior of the container includes one of a transverse moveable wall and[or] a headboard defining a cavity between [the] said one of the transverse moveable wall and[or] the headboard and the access door wherein said one of the transverse moveable wall and[or] the headboard is advanceable between a first position adjacent the access door wherein the capacity of the cavity is at a minimum and a second position remote the access door in which capacity of the cavity is at a maximum; and wherein the container further comprises transport means to cause longitudinal transport of material placed within the cavity; characterised in that an aperture is provided in the roof of the container generally adjacent the access door and a cover is provided moveable between a first position covering the aperture and a second position wherein access through the aperture is unobstructed by the cover; and further characterized in that the transport means comprises a walking floor.
2. (Deleted) A trailer as claimed in Claim 1 wherein the transport means comprises a walking floor.
3. (Amended) A trailer as claimed in Claim 1 wherein a sheet, preferably of canvas, is attached to the bottom edge of one of the transverse moveable wall and[or] the headboard.

4. (Amended) A trailer as claimed in Claim 1 [any one of claims 1 to 3,] wherein the cover has two wheels extending transversely outward from each side edge of the cover, each wheel engaging a respective horizontal longitudinal channel formed in the respective channel assemblies mounted on the roof of the container either side of the aperture.
5. A trailer as claimed in Claim 4 wherein each channel of each channel assembly comprises a substantially horizontal portion and the inclined portion, the inclined portion being at that end of each channel most adjacent to the aperture and being downwardly orientated with respect to the horizontal portion.
6. (Amended) A trailer as claimed in Claim 1 [any one of claims 1 to 5] wherein movement of the cover between the[said] first and the second positions is remotely actuated by means of at least one of hydraulic rams, hydraulic pistons, pneumatic rams and pneumatic pistons [pneumatic rams or pistons].
7. (Amended) A raw material delivery and waste collection system for a premises; the system comprising (i) providing at least two[, ] wheeled, enclosed elongate material-carrying containers each having a floor, a rear wall, and two side walls, a roof having a coverable aperture therein and a front access door and having transport means to cause longitudinal transport of material placed within each one of said[the] container; (ii) providing the premises with a delivery bay for transfer of raw materials from a first one of said[such] containers into the premises; and (iii) providing the premises with at least one waste collection bay wherein the waste collection bay includes an output for expulsion of the waste material into a second one of said[such] containers through the aperture in the roof thereof.



8. A raw delivery and collection system as claimed in Claim 7 wherein each wheeled container is a trailer as claimed in claim 1.
9. (Amended) A raw delivery and collection system as claimed in Claim 7 wherein each wheeled container is a trailer as claimed in claim 3[2].